

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LOUIS G. RASETTA and JOHN J. SHAUGHNESSY,
as they are TRUSTEES, INTERNATIONAL UNION
OF OPERATING ENGINEERS LOCAL 4 HEALTH
AND WELFARE, PENSION AND ANNUITY FUNDS,
and LOUIS G. RASETTA and CHRISTOPHER
BARLETTA, as they are TRUSTEES, HOISTING AND
PORTABLE ENGINEERS LOCAL 4 APPRENTICE
AND TRAINING FUNDS and INTERNATIONAL
UNION OF OPERATING ENGINEERS, LOCAL 4,
RCL

C.A. No. 05-10425

Plaintiffs

vs.

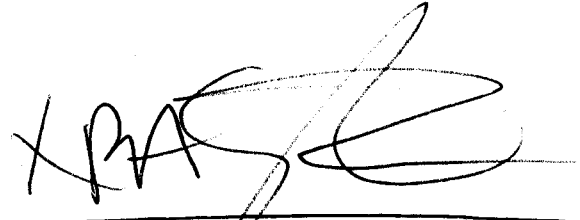
SAI SURVEYING CORPORATION and
BARBARA SZEPAWOWSKI,

Defendants

and

CITIZENS BANK,

Trustee


SIGNATURE OF BARBARA SZEPAWOWSKI

ORDER TO SHOW CAUSE

This matter having come before me on the Plaintiffs' Motion for Finding of Civil Contempt, and upon consideration of the motion, memorandum, and affidavits on file, I hereby order that Defendants SAI Surveying Corporation and ("SAI") Barbara Szepatowski show cause at a session of this Court, to be held at 2:30 p.m. on October 30, 2006 in Room 11 of the United States District Court for the District of Massachusetts before the Honorable Judge Lindsay, why they should not be found in contempt of Court as a result of their misconduct in failing to obey, comply with, and carry out the

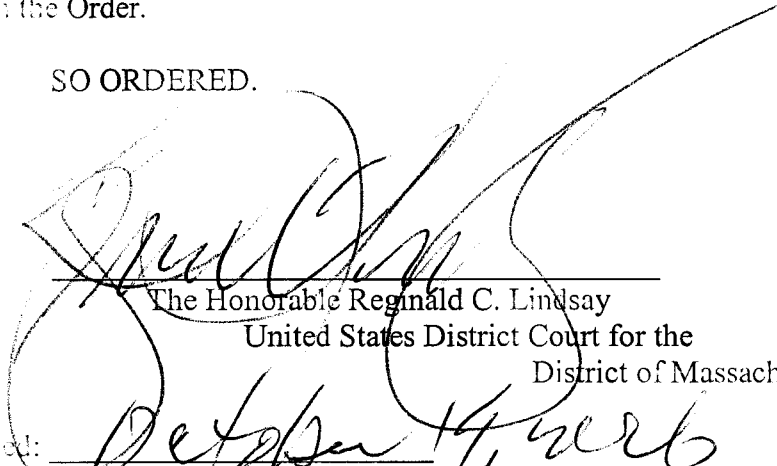
☐ going to the court to file a correct copy of
☐ electronic filing in the captioned case
☐ electronic filing of original filed on
☐ original filed on

Sarah A. Lindsay
Clerk, U.S. District Court
District of Massachusetts

*Served by
New
Federal
10/23/06
6:45P*
HUGHES LEGAL SUPPORT
7 EVA LANE
CRANSTON, RI 02921
(401) 944-8980

provisions of this Court's Electronic Order of June 8, 2006 granting Plaintiffs' Motion to Compel Defendants' Answers to Plaintiffs' Post-Judgment Discovery Requests ("Order"), which required SAI and Szepatowski to respond to the Plaintiffs' post-judgment discovery requests within fourteen (14) days from the issuance of the Order. Further, SAI and Szepatowski must show cause as to why they should not pay the conditional and compensatory fines prayed for in the Plaintiffs' Motion for Finding of Civil Contempt, why a capias should not be issued for Szepatowski's arrest, and why Szepatowski should not be held in custody pending SAI and Szepatowski's compliance with the Order.

SO ORDERED.

A large, stylized handwritten signature in black ink, appearing to read 'Reginald C. Lindsay', is written over the printed name and title of the judge.

The Honorable Reginald C. Lindsay
United States District Court for the
District of Massachusetts

Dated: _____

October 14, 2006

AFFIDAVIT OF SERVICE

**UNITED STATES DISTRICT COURT
District of Massachusetts**

Case Number: 05 10425 RCL

Plaintiff:

**Louis G Rasetta and JOHN J. SHAUGHNESSY, as they are TRUSTEES,
INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 4
HEALTH AND WELFARE, PENSION AND ANNUITY FUNDS, and LOUIS
G. RASETTA and CHRISTOPHER BARLETTA, as they are TRUSTEES,
HOISTING AND PORTABLE ENGINEERS et al**

vs.

Defendant:

SAI SURVEYING CORPORATION and BARBARA SZEPAOWSKI

and

Trustee

CITIZENS BANK

For:

Gregory Geiman
SEGAL ROITMAN & COLEMAN
11 Beacon Street
Suite 500
Boston, MA 02108

Received by HUGHES LEGAL SUPPORT on the 21st day of October, 2006 at 4:07 pm to be served on **BARBARA SZEPAOWSKI, JAMESTOWN LIBRARY, 26 North Main St., Jamestown, RI 02835.**

I, Paul G. Hughes, being duly sworn, depose and say that on the **23rd day of October, 2006** at 6:45 pm, I:

INDIVIDUALLY SERVED the within named person with a true copy of this **ORDER TO SHOW CAUSE** with the date and hour endorsed thereon by me.

Additional Information pertaining to this Service:

10/21/2006 5:15 pm Attempted service.....PAW AND CLAWS phone is disconnected.....a w/f was found within PAWS AND CLAWS who stated that she had not seen SZEPAOWSKI, but had only stopped by to check on the animals at PAWS AND CLAWS.

10/21/2006 5:20 pm Attempted service at 23 Narragansett Av. REAR 2ND FLOOR.....this address was the former business location of SAI SURVEYING...it is now an empty office space.....three people in or near PAWS AND CLAWS were asked where SZEPAOWSKI could be located...all stated that they did not know but indicated that SZEPAOWSKI was still operating her PAWS AND CLAWS.

10/21/2006 5:25 pm Attempted service at 5 Green Lane...no answer....Attempted service at 7 Green Lane ..no answer....Attempted service at 80 Riptide Lane,no answer...

10/23/2006 9:12 am Attempted notification by telephone to BARBARA SZEPAOWSKI at 401-423-0701 (PAWS AND CLAWS) . This phone is disconnected. At 401-423-0037...left message for BARBARA SZEPAOWSKI to contact Constable Hughes regarding delivery of legal documents.....left message for BARBARA at 401-423-0768 contact Paul HughesAttempted to call SAI SURVEYING at (401)423-0653 ...this phone is disconnected.

10/23/2006 5:15 pm Attempted service at PAWS AND CLAWS....shop is closed.

10/23/2006 5:20 pm Attempted service at 5 Green....resident there states that BARBARA SZEPAOWSKI lived at this address 5 years ago...does not know where she lives now...

10/23/2006 5:45 pm Constable made visit to JAMESTOWN POLICE as a courtesy regarding possible service of process at tonight's JAMESTOWN TOWN COUNCIL meeting....JAMESTOWN POLICE direct constable to NEPTUNE or SPINAKER streets in Jamestown as the possible residence of BARBARA SZEPAOWSKI . Police employees report that BARBARA SZEPAOWSKI drives a blue Volvo with license plate "VS...."

10/23/2006 6:10 pm Attempted service on Neptune and Spinaker Streets in Jamestown....neighbors do not recognize BARBARA SZEPAOWSKI or her motor vehicle.

10/23/2006 6:25 pm Arrive at JAMESTOWN LIBRARY, the site of the JAMESTOWN TOWN COUNCIL meeting....Council members inform me that BARBARA SZEPAOWSKI is scheduled to appear at tonight's meeting

10/23/2006 6:45 pm BARBARA SZEPAOWSKI arrives driving a blue VOLVO (RI reg. VS 644)...BARBARA

AFFIDAVIT OF SERVICE for 05 10425 RCL

SZEPATOWSKI informs this constable that she was aware that I was looking for her....BARBARA SZEPATOWSKI went on to say that a MASSACHUSETTS civil arrest was not legal in Rhode Island....This constable made clear to BARBARA SZEPATOWSKI that the ORDER was from a Federal Court and was scheduled for Oct 30, 2006.

Description of Person Served: Age: 50, Sex: F, Race/Skin Color: White, Height: 5'6, Weight: 145, Hair: Brown, Glasses: N

I do hereby certify that I have no interest in the above action, that I am over the age of eighteen, and that I am a Specially Appointed Federal Process Server by the Chief Judge for the U.S. District Court for Rhode Island.

Before me on the 24th day of October, 2006 there personally appeared before me the above named individual who swore to the truth of the statements contained in this affidavit


NOTARY PUBLIC

S.L. MALLINTON, Notary Public

County of RI and Providence Plantations
My Commission Expires Aug. 16, 2008



Paul G. Hughes
Certified U.S.D.C. Process Ser

HUGHES LEGAL SUPPORT
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(401) 944-8980
Our Job Serial Number: 2006014478